

FACSIMILE COVER PAGE

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To: Examiner Cheukfan Lee
Company: U.S. Patent Office
Fax #: 1703 872 9314

From: MN
Fax #: 6105251089

Message:

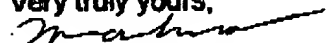
Attention: Examiner Cheukfan Lee;
Group Art 2622

Dear Ms. Lee,

In accordance with our conversation the attachments include:

- 1.) Election response to the Office Action of 8/13/2003.
- 2.) Copy of the previous response to the Office Action of 4/23/2003.

Very truly yours,


Marvin Nachman
Tel.: 610 525 1089

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PATENT

DOCKET: B INFINITY - 3.0
IN THE UNITED STATES PATENT AND TRADE MARK OFFICEIn re the Application of
BRUCE NACHMAN

Application No. 08/669, 056

Filed JUNE 24, 1996

For: INTERFACE CIRCUIT FOR UTILIZING A
FACSIMILE COUPLED TO A PC AS A SCANNERThis Amendment is in Response to the Office Action of
4/23/2003.

Group Art Unit: 2622

Examiner: Cheukfan Lee

I hereby certify that this correspondence is being sent
via Facsimile to Tel.: 703 872 9314 on May 23, 2003Commissioner of Patents and Trademarks,
P. O. Box 1450
Alexandria, VA 22313-1450

Marvin J. Nachman

Signature



Hon. Commissioner of Patents and Trademarks

Washington, DC 20231

Amendment

With respect to the Office Action Summary of 4/23/03, based on the restriction of 35 U.S.C. 121, election is made to Group I. Claims 27,29,32-34,36,38-42, and 54 drawn to a method including direct transfer of digital signals between a facsimile machine and a personal computer.

This submission is made with reservation based on intent to traverse the restriction for reasonable and proper overlap, of the invention claims.

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REMARKS/ARGUMENTS

The following information is provided with respect to Claims 27-29,32-48, and 52-54 which are pending. Claims 27,28,36,43, and 52-54 are independent.

The following discussion shows all independent and dependent claims have a relationship disclosed within the structure of the independent claims.

All of the independent and dependent claims are method claims, which share a generic basis. For Example: Independent claims 27,28,36,43,52,54 recognize that a facsimile machine generates analog or digital signals in facsimile formats which contain scanned image data that can be transferred through a passive link without interception from the facsimile machine to the computer.

Independent claims 36,43,53, and 54, as appropriate within the claims, recognize that a computer can send analog signals if equipped with a modem, or digital signals, which contain image data that can be transferred through a passive link without interception from the computer to the facsimile machine for printing.

Therefore, it is obvious all the claims in Groupings I, II, and III share a single inventive concept.

In accordance with the Office Action of 4/23/03, the following comments are made to Groupings I, II, and III

I. Claims 27,29,32-34,41,36,38-40,42, and 54, drawn to a method including direct transfer of digital signals between a facsimile machine and a computer.

Comment: The independent claims describe the direct transfer of signals as occurring by reference to one or more of the following; nonintercepted, without interception, or through a passive link. This method of signal transfer after the making of a connection is

consistent with the independent claims of groupings II and III. It is therefore believed that all of the claims should be grouped as a single invention.

II. Claims 28, and 37, drawn to a method including setting of different modes in a machine.

Comment: The different modes referred to are all ways of making a connection in order to transfer signals through a passive link, without interception from a facsimile machine to a preexisting facsimile modem being internal or external to a computer. It is therefore believed that claims 28, and 37 should be grouped with claims I and III, as part of a single invention.

III. Claims 35, 43-48, 52, and 53, drawn to a method for simulating an off-hook condition for a machine.

Comment: "Simulated off-hook" or "off-hook condition" is used in the claims synonymously with "or connection mode". The independent claims 43, 52, and 53 transfer signals which reference one or more of, nonintercepted, passive link, or without interception, and also specify "or connection mode". Therefore, it is believed they incorporate the same invention as noted in group I and II, and should be grouped together.

The Applicants use of the term "simulated off-hook" is not a common off-hook as described in Point C herein, it is "simulated", meaning as a substitute for, and is further clarified by "or connection mode", which includes additional ways the claim may make a connection between the facsimile machine and the computer. A common off-hook is used when connected to the Central Office of a Telephone Network..

Independent claims 43, 52, and 53 are isolated from the telephone network.

Therefore, a "simulated off-hook" as used by the Applicant is another method of making a connection, which enables a direct link between a facsimile machine and a computer.

For Example: in Claim 43, paragraph b and c, "off-hook condition or connection mode" are steps in creating a passive link between the facsimile and the computer in order to enable the transfer of non intercepted signals in facsimile formats. The transfer of this data in both directions, between the computer and the facsimile machine, through a direct passive link, is a unique inventive step inherent in all of the claims.

The claims should not be considered as different inventions, because the methods described incorporate the same technology, namely the direct transfer of data between a facsimile machine and a computer through a passive link.

Therefore, it is obvious that all of the claims contain the same invention.

Given the above, it is believed groups I, II, and III should be grouped together.

Supporting Remarks:

POINT A

Pertaining to "arranging the facsimile machine to be in a connection mode." A connection mode is required to establish physical connection, and is typically based on a protocol to coordinate the sending and receiving of data. Relevant to the general term "connection mode," this could be associated with any one of a broad range of protocols including those associated with a telephone line, digital port connectors such as, but not limited to, a USB, a serial port (i.e. RS232), a parallel port (i.e. IEEE1284), or a data transfer bus on an internal circuit board. The Applicant clearly states "bypassing or isolated from the public network telephone line" in all of its independent claims,

therefore, the use of a "simulated off-hook" would of necessity be different than the common use of "off-hook" in the case of a public network telephone circuit.

In another example, the RS-232 serial port standard enables a protocol that consists of a number of control signals including "Request to Send" and "Clear to Send."

A party requesting to transmit data changes the voltage level of the control signal called "Request to Send." The receiving party signals a condition of ready and able to receive, by changing the voltage level of a control signal called Clear to Send.

Therefore, a reference to "simulated off-hook" could be used to refer to the use of control signals such as "Request to Send" and "Clear to Send." However, the reference to "or connection mode" can be used to characterize a broad range of physical and data communications environments.

POINT B

Said claims refer to a "method of creating a scanning capability from a facsimile machine to a computer," are characterized by supporting paraphrases including "isolated from the telephone network," "a passive link," "direct connection," and "arranging a connection," or "connection mode, or non intercepted signals".

The definition implied in this description is for a method, which is implemented through one of several environments supported by a facsimile machine and a computer.

POINT C

Group III. Claim 43 has been associated with the requirement of an off-hook condition, likely via the phrase "each of the facsimile machine and computer using telephone types of circuits". The term "telephone types of circuits," is a general term that could imply one of a large variety of circuits, not necessarily POTS (Plain Old Telephone System) types

of circuits of which conditions on-hook, off-hook and ringing are associated. The word "types" opens this up to many possibilities or at the very least does not imply a specific physical connection or protocol. When you consider that the first sentence of the claim to be combined with "being isolated from the public telephone network," "arranging the facsimile machine to be in a simulated off-hook condition, or connection mode," and "through a passive link." The "type" of connection here is stated not connected to the telephone network, is utilizing a "simulated off-hook" (see Point A), or "or connection mode" which includes protocols beside the POTS protocol. Therefore, the "simulated off hook" should be included as just a type of connection mode and as a step in arranging a signal transfer between a facsimile machine and a computer.

POINT D

Group III. Claim 52 has been associated with a requirement of an off-hook condition partially as it states, "A method of using a facsimile machine with a computer, one or both of which being connected to a telephone line such that said facsimile machine operates as a scanning device when isolated from the telephone line." The first part of this phrase which has the sub-phrase "one or both..." after a comma, states they are connected to a telephone line, but does not state or imply that they use the telephone line for scanning. The second half of the complete phrase states "isolated from" which states clearly that the facsimile machine does not use the telephone line for scanning. In addition, there is no statement within the claim, that requires the use of an off-hook condition, other than the phrase that refers to "simulated off-hook," of which the argument in Point A applies. Claim 52 is associated with an off-hook condition to the same extent as Claim 43, of which Point C applies.

POINT E

Group III. Claim 53 has been associated with a requirement for an off-hook condition partially as it refers to "simulated off-hook," of which the general comments in Point A applies. And hereto, Claim 53 is associated with an off-hook condition, of which Point C applies.

POINT F

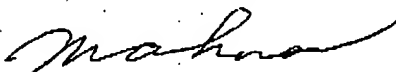
Based on Point C, D and E, independent claims and their dependent claims listed in Group 3 are not a different invention than that defined as Group 1. And as noted herein Group II claims share in the same inventive concept. Therefore, it is believed, Groups I, II, and III, should be grouped together.

Allowance of this application with respect to traversal of the restriction for reasonable and proper overlap is respectfully requested, in view of the foregoing.

As required, and as noted above, election is made to Group I. Claims 27,29,32-34,36,38-42, and 54 drawn to a method including direct transfer of digital signals between a facsimile machine and a personal computer.

It is requested that the Examiner telephone the undersigned Applicant in order that any outstanding issue may be resolved without the necessity of a further office action.

Respectfully submitted,



Marvin J. Nachman,

Executor / CO - Inventor

315 - Saybrook Road

Villanova, PA 19085

Tel: 610 - 525 - 1089 Voice and Facsimile

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